

1. Mark McCain Lowe
2. P.O. Box 290066
3. CSP-Sac Facility B
4. Re Presq Calif 95670.

FILED
03 JAN -2 PM 1:25
CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

United States District Court
Northern District of California

9. Mark M. Lowe
10. petitioner,
11. V.
12. Jimmy Walker
13. WARDEN
14. Respondent

Case No.

Motion of Inquiry and motion
For Appointment of Counsel

SI

(PR)

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15.
16. To: The Honorable Judge of The Above Entitled Court;
17. Please Take Notice; That as soon as the matter may
18. be heard by the Court, The Above named Petitioner makes an
19. inquiry that he is incompetent in doing any TYPE of Legal work
20. and has know knowledge what so ever in Legal work That he
21. had to use a Jail House Layman to prosecute His WRIT OF HABEAS
22. CORPUS. His MENTAL STATE Has Him Basically incompetent to
23. Properly File a Writ, Petitioner had to get help from a Jail house
24. Laymen to Look at his Private case papers which should be Confidential
25. Petitioner request AN Evidentiary Hearing AND APPOINTMENT OF COUNSEL
26. Petitioner respectfully submits This Motion and Attached Declaration in support.
27. DATED: 12-20-07
28. RESPECTFULLY SUBMITTED
X Mark M. Lowe

Declaration of MARK McCain LOWE

(2)

1. I, Mark M. LOWE, Declare AS FOLLOWS:
2. I SUFFER FROM POST TRAUMATIC STRESS DISORDER AND SUICIDAL THOUGHTS.
3. I SUFFER FROM NIGHTMARES AND FLASHBACKS AND SEVERE ANGRY BAD MOOD SWINGS.
4. I SUFFER FROM PARANOIA AND BAD DEPRESSION AND PSYCHOTIC THINKING.
5. I SUFFER A LOT OF MENTAL HEALTH ISSUES. EOP LEVEL OF CARE.
6. I am on a mental health facility at FOLSOM.
7. I DO NOT UNDERSTAND THE APPEAL PROCESS AS I DEPEND ON
8. A JAILHOUSE LAYMAN THAT THE PERSON IN THE LAW LIBRARY TOLD ME TO
9. TALK TO AS I GO TO THE LIBRARY TO LOOK AT NATIONAL GEOGRAPHIC MAGAZINES
10. AND THE NICE PICTURES IN THEM. THE ISSUES ON APPEAL ARE VERY
11. COMPLEX FOR ME AND USING A JAILHOUSE LAYMAN WHO I DO NOT
12. KNOW THATS IN MY PRIVATE LEGAL PAPERS THAT IS TRYING TO SHOW
13. ME WHAT TO DO AND MY LEGAL WORK IS SUPPOSE TO BE PRIVATE
14. AND CONFIDENTIAL, TOTALLY VIOLATES MY PRIVATE RIGHTS AND MY
15. MENTAL HEALTH ON NOT KNOWING WHAT TO DO. IT WOULD RESULT
16. IN A FUNDAMENTAL MISCARRIAGE OF JUSTICE NOT TO
17. GRANT ME AN EVIDENTIARY HEARING AND COUNSEL.
18. I Declare that i got help to write this Declaration
19. FROM THE JAILHOUSE LAYMAN BUT HE DOES NOT WANT TO GIVE
20. HIS NAME AND EXPLAINED TO ME FOR THE COURT. I Declare I
21. AM NOT GUILTY OF THIS CRIME, AND NEED HELP AS SOON AS
22. POSSIBLE.

23. I Declare UNDER PENALTY OF PERJURY THE ABOVE IS TRUE.

24.

25. DATED: 12-20-07

Respectfully Submitted

26.

X Mark M. Lowe

27.

28.